

MINUTES OF THE MEETING OF THE CITY COUNCIL

Wichita, Kansas, March 2, 2006
Tuesday, 9:10 A.M.

The City Council met in regular session with Mayor Mayans in the Chair. Council Members Brewer, Fearey, Gray, Martz, Schlapp, Skelton; present.

George Kolb, City Manager; Gary Rebenstorf, Director of Law; Karen Sublett, City Clerk; present.

Reverend Diane Monger, gave the invocation.

The pledge of allegiance was participated in by the Council Members, staff, and guests.

The Minutes of the April 25, 2006 meeting were approved 7 to 0.

AWARDS AND PROCLAMATIONS

Proclamation:

Cinco de Mayo Celebration Days

Mayor Mayans read aloud the Proclamation.

Students from John Marshall Middle School invited the Mayor and Council Members to attend their Cinco de Mayo Celebration on May 4, 2006, from 5:30 p.m. to 8:00 p.m.

PUBLIC AGENDA**Bob Brewer, Society of Professional Engineering Employees in Aerospace (SPEEA) - Postcards to Support Keeping Jobs at the Boeing Wichita Site.**

Bob Brewer

Mr. Brewer stated that he would like to talk to the Council Members about the budget problems that they are having with the federal government and how it relates to the Boeing IDS facility in Wichita. Stated that they had 900 layoffs announced a couple of weeks ago and that is expected to continue throughout the end of the year with the last layoffs being towards the December or January time frame. Stated that from a SPEEA standpoint they have stepped up their efforts, which is who he is representing today and they are headed to Washington D.C. next week to meet with their elected Kansas officials as well as several other political leaders that have some influence on the appropriations committee to try and get funding back into some programs that have been cut, postponed or delayed in coming to Wichita. Stated that 900 jobs is a huge impact and potentially an adverse impact of over \$50 million dollars a year in just base salaries alone. Stated that they have the health care that is provided to these employees and their families, somehow go away during the process of the layoffs. It also affects the whole economy with an adverse impact on our state and local taxes. Stated that they have post cards going to both of their Senators and Congressman Tiahrt. Asked each of the Council Members to take a postcard and sign them so that they can take them to Washington D.C. next week.

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CONSENT AGENDA

Motion--
--carried

Mayans moved that Consent Agenda Items 2-16d be approved in accordance with the recommended action shown thereon. Motion carried 7 to 0.

REPORT OF THE BOARD OF BIDS AND CONTRACTS DATED MAY 1, 2006.

Bids were opened April 28, 2006, pursuant to advertisements published on

PUBLIC WORKS DEPARTMENT/ENGINEERING DIVISION: Sewers, Paving and Water Mains as per specifications:

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PUBLIC WORKS DEPARTMENT/ENGINEERING DIVISION: Sewers, Paving and Water Mains as per specifications.

Lateral 379 Four Mile Creek Sewer to serve Krug North 2nd Addition - north of 21st Street North, west of 143rd Street East. (468-84055/744177/480865) Does not affect existing traffic. (District II)

McCullough Excavation - \$112,100.00

Water Distribution System to serve Krug North 2nd Addition - north of 21st Street North, west of 143rd Street East. (448-90096/735310/470981) Does not affect existing traffic. (District II)

McCullough Excavation - \$47,950.00

Lateral 9, Main 13, Sanitary Sewer #23 to serve Falcon Falls 3rd Addition - north of 45th Street North, west of Hillside. (468-84096/744181/480869) Does not affect existing traffic. (District I)

Mies Construction - \$150,473.00 (Negotiated to Engineer's estimate)

Water Distribution System to serve Shadow Woods Addition - north of Maple, west of 135th Street West. (448-89984/735303/470974) Does not affect existing traffic. (District V)

Utilities Plus - \$37,049.44

Water Distribution System to serve Whispering Lakes Estates Addition - south of Harry, west of 159th Street East. (448-90166/735300/470971) Does not affect existing traffic. (District II)

Utilities Plus - \$46,194.35

Jewell from the west line of Lot 8, Block B, west to the west line of Upland Hills; Upland Hills from the north line of Jewell south to the south line of Lot 11, Block D; Grant from the east line of Upland Hills east to the west line of Lot 1, Block D; Jewell Court from the south line of Jewell south to and including the cul-de-sac; Upland Hills Court from the westerly line of Upland Hills north to and including the cul-de-sac; Sidewalk along one side of Jewell, Upland Hills, and Grant to serve Turkey Creek 2nd Addition - north of Pawnee, west of 119th Street West. (472-84029/765983/490098) Does not affect existing traffic. (District V)

Cornejo and Sons Construction - \$383,687.95

CDBG City of Wichita Park Lighting, Phase I: McAdams Park - south of 17th Street, east of Ohio Street. (472-84409/092006/785050/395182) does not affect existing traffic. (District I)

Wichita Electric Company Inc. - \$30,280.58 (Negotiated to Engineer's estimate)

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Motion-- Mayans moved that the contracts be awarded as outlined above, subject to check, same being the lowest and best bid within the Engineer's construction estimate, and the and the necessary signatures be authorized. Motion carried 7 to 0.

--carried

PRELIMINARY EST. PRELIMINARY ESTIMATES:

- a) Drainage Improvements to 29th Street & Lake Ridge to serve Oak Ridge Addition - west of Ridge Road, north of 29th Street. (468-84164/660520/856101) Traffic to be maintained during construction using flagpersons and barricades. (District V) - \$65,000
- b) 2004-2005 Traffic Signalization Program, Phase VI: Install Traffic Signals at 21st Street North & Founders Circle. (472-84402/706911/204377) Traffic to be maintained during construction using flagpersons and barricades. (District II) - \$68,180
- c) Storm Water Drain #254 to serve North Ridge Village Addition - north of 37th Street North, west of Ridge. (468-83978/751403/485294) Does not affect existing traffic. (District V) - \$234,000
- d) Storm Water Drain #255 to serve North Ridge Village Addition - north of 37th Street North, west of Ridge. (468-83979/751408/485299) Does not affect existing traffic. (District V) - \$148,000
- e) Village Parkway from the west line of Ridge Road to the east line of Lot 5, Block 1 to serve North Ridge Village Addition - north of 37th Street North, west of Ridge. (472-84201/765939/490052) Traffic on Ridge Road shall be maintained thru construction. (District V) - \$799,000
- f) Lateral 394 Four Mile Creek Sewer to serve Whispering Lakes Estates Addition - south of Harry, west of 159th Street East. (468-84142/744168/480856) Does not affect existing traffic. (District II) - \$69,000

Motion--carried Mayans moved that the Preliminary Estimates be received and filed. Motion carried 7 to 0.

PETITIONS FOR PUBLIC IMPROVEMENTS:

KRUG NORTH 2ND

CONSTRUCT A SANITARY SEWER IN KRUG NORTH SECOND ADDITION, NORTH OF 21ST STREET, WEST OF 143RD STREET EAST. (DISTRICT II)

Agenda Report No. 0-0439

On August 2, 2005, the City Council approved a Petition to construct a Sanitary Sewer in Krug North 2nd Addition. An attempt to award a contract within the budget set by the Petition was not successful. The developer has submitted a new Petition with an increased budget. The signature on the new Petition represents 100% of the improvement district.

The project will serve a new residential development located north of 21st Street, west of 143rd St. East

The existing Petition totals \$134,000. The new Petition totals \$153,000. The funding source is special assessments.

State Statutes provide that a Petition is valid if signed by a majority of resident property owners or owners of the majority of property in the improvement district.

Motion-- Mayans moved that the Petition be approved; the Resolution adopted and the necessary signatures authorized. Motion carried 7 to 0.

--carried

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RESOLUTION NO. 06-199

Resolution of findings of advisability and resolution authorizing construction of Lateral 379, Four Mile Creek Sewer (north of 21st Street, west of 143rd Street East) 468-84055, in the City of Wichita, Kansas, pursuant to findings of advisability made by the governing body of the City of Wichita, Kansas, presented. Mayans moved that the Resolution be adopted. Motion carried 7 to 0. Yeas: Brewer, Fearey, Gray, Martz, Schlapp, Skelton, and Mayans.

WHEATRIDGE ADD. CONSTRUCT A SANITARY SEWER IN WHEATRIDGE ADDITION, NORTH OF KELLOGG, WEST OF 119TH STREET WEST. (DISTRICT V)

Agenda Report No. 06-0440

The Petition has been signed by three owners representing 100% of the improvement district.

The sanitary sewer project will serve a new commercial development located north of Kellogg, west of 119th St. West.

The Petition totals \$65,000. The funding source is special assessments.

State Statutes provide that a Petition is valid if signed by a majority of resident property owners or owners of a majority of property in the improvement district.

Motion--
--carried

Mayans moved that the Petition be approved; the Resolution adopted and the necessary signatures authorized. Motion carried 7 to 0.

RESOLUTION NO. 06-200

Resolution of findings of advisability and resolution authorizing construction of Lateral 40, Main 1, Cowskin Interceptor Sewer (north of Kellogg, west of 119th Street West) 468-84186, in the City of Wichita, Kansas, pursuant to findings of advisability made by the governing body of the City of Wichita, Kansas, presented. Mayans moved that the Resolution be adopted. Motion carried 7 to 0. Yeas: Brewer, Fearey, Gray, Martz, Schlapp, Skelton, and Mayans.

FAWN GROVE CONSTRUCT PAVING, SANITARY SEWER AND WATER IMPROVEMENTS IN FAWN GROVE AT SUNSET LAKES ADDITION, SOUTH OF KELLOGG, WEST OF GREENWICH. (DISTRICT II)

Agenda Report No. 06-0441

The Petitions have been signed by one owner representing 100% of the improvement districts.

The projects will provide paving, sanitary sewer and water improvements within a residential development located south of Kellogg, west of Greenwich.

The Petitions total \$402,000. The funding source is special assessments.

State Statutes provide that a Petition is valid if signed by a majority of resident property owners or by owners of the majority of property in the improvement district.

Motion--
--carried

Mayans moved that the Petitions be approved; the Resolutions adopted and the necessary signatures authorized. Motion carried 7 to 0.

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RESOLUTION NO. 06-201

Resolution of findings of advisability and resolution authorizing construction of Water Distribution System No. 448-90194 (south of Kellogg, east of Greenwich) in the City of Wichita, Kansas, pursuant to findings of advisability made by the governing body of the City of Wichita, Kansas, presented. Mayans moved that the Resolution be adopted. Motion carried 7 to 0. Yeas: Brewer, Fearey, Gray, Martz, Schlapp, Skelton, and Mayans.

RESOLUTION NO. 06-202

Resolution of findings of advisability and resolution authorizing construction of Lateral 397, Four Mile Creek Sewer, 468-84185 (south of Kellogg, east of Greenwich) in the City of Wichita, Kansas, pursuant to findings of advisability made by the governing body of the City of Wichita, Kansas, presented. Mayans moved that the Resolution be adopted. Motion carried 7 to 0. Yeas: Brewer, Fearey, Gray, Martz, Schlapp, Skelton, and Mayans.

RESOLUTION NO. 06-203

Resolution of findings of advisability and resolution authorizing constructing pavement on Fawn Grove, from the east line of Lot 66, Block 2 to the west line of Lot 83, Block 2, 472-84408 (south of Kellogg, east of Greenwich) in the City of Wichita, Kansas, pursuant to findings of advisability made by the governing body of the City of Wichita, Kansas, presented. Mayans moved that the Resolution be adopted. Motion carried 7 to 0. Yeas: Brewer, Fearey, Gray, Martz, Schlapp, Skelton, and Mayans.

STREET CLOSURES CONSIDERATION OF STREET CLOSURES/USES.

BLOCK PARTY BLOCK PARTY ON BROADWAY, SUNDAY, MAY 21, 2006, 2:00 P.M. TO 8:00 P.M. (300 BLOCK OF BROADWAY BETWEEN 2ND AND 3RD STREETS)

Agenda Report No. 06-0442

In accordance with the Community Events Procedure, the event promoter has notified adjacent property owners and coordinate arrangements with Staff, subject to final approval by the City Council.

The following street closure request has been submitted:

- 1) Block Party on Broadway – Sunday, May 21, 2006 2:00 pm – 8:00 pm.
 - 300 Block of Broadway between 2nd and 3rd Streets.

Client will arrange to remove blockades as necessary to allow residents and emergency vehicle access during entire designated time period. Adjacent property owners have consented to the requested closure.

Inasmuch as possible, event sponsors are responsible for all costs associated with special events.

Motion-- Mayans moved that the request be approved subject to: (1) Hiring off-duty certified law enforcement officers as required; (2) Obtaining barricades to close the streets in accordance with requirements of Police, Fire and Public Works Department. (3) Certificate of Liability Insurance on file with the Community Events Coordinator. Motion carried 7 to 0.

--carried

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WESLEY 5K RUN

WESLEY SENIOR 5K RUN, WEDNESDAY, MAY 31, 2006, 6:00 P.M. TO 7:30 P.M. **(700 BLOCK OF AMIDON IN FRONT OF BOTANICA)**

Agenda Report No. 06-0443

In accordance with the Community Events Procedure, the event promoter has notified adjacent property owners and coordinate arrangements with Staff, subject to final approval by the City Council.

The following street closure request has been submitted:

- 1) Wesley Senior 5K Run – Wednesday, May 31, 2006 6:00 pm – 7:30 pm.
 - 700 block of Amidon in front of Botanica.

Client will arrange to remove blockades as necessary to allow residents and emergency vehicle access during entire designated time period. Adjacent property owners have consented to the requested closure and have responded with signed approval.

Inasmuch as possible, event sponsors are responsible for all costs associated with special events.

Motion--

Mayans moved that the request be approved subject to: (1) Hiring off-duty certified law enforcement officers as required; (2) Obtaining barricades to close the streets in accordance with requirements of Police, Fire and Public Works Department. (3) Certificate of Liability Insurance on file with the Community Events Coordinator. Motion carried 7 to 0.

--carried

HALL OF FAME

KANSAS SPORTS HALL OF FAME INDUCTION CEREMONY, FRIDAY, JUNE 2, 2006, **BEGINNING AT 5:00 P.M. UNTIL SATURDAY, JUNE 3, 2006 AT 6:00 P.M.** **(238 NORTH MEAD STREET IN FRONT OF KANSAS SPORTS HALL OF FAME)**

Agenda Report No. 06-0444

In accordance with the Community Events Procedure, the event promoter has notified adjacent property owners and coordinate arrangements with Staff, subject to final approval by the City Council.

The following street closure request has been submitted:

- 1) Kansas Sports Hall of Fame Induction Ceremony – Friday, June 2, 2006 beginning at 5:00 pm until Saturday, June 3, 2006 at 6:00 pm
 - 238 N. Mead Street in front of Kansas Sports Hall of Fame.

Client will arrange to remove blockades as necessary to allow residents and emergency vehicle access during entire designated time period. Adjacent property owners have consented to the requested closure and have responded with signed approval.

Inasmuch as possible, event sponsors are responsible for all costs associated with special events.

Motion--

Mayans moved that the request be approved subject to: (1) Hiring off-duty certified law enforcement officers as required; (2) Obtaining barricades to close the streets in accordance with requirements of Police, Fire and Public Works Department. Motion carried 7 to 0.

--carried

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SPECIAL OLYMPICS SPECIAL OLYMPICS KANSAS GAMES OPENING CEREMONY, FRIDAY, JUNE 2, 2006
BEGINNING AT 7:00 P.M. UNTIL 10:00 P.M.
(3400 BLOC OF EAST 21ST STREET NORTH, HILLSIDE TO YALE)

Agenda Report No. 06-0445

In accordance with the Community Events Procedure, the event promoter has notified adjacent property owners and coordinate arrangements with Staff, subject to final approval by the City Council.

The following street closure request has been submitted:

- 1) Special Olympics Kansas Games Opening Ceremony – Friday, June 2, 2006 beginning at 7:00 pm until 10:00 pm.
 - 3400 Block of East 21st North, Hillside to Yale.

Client will arrange to remove blockades as necessary to allow emergency vehicle access during entire designated time period. Blockades will be removed immediately, once the “All Clear” from the Fire Department has been given to allow vehicles to exit the area. The adjacent property owner has consented to the requested closure.

Inasmuch as possible, event sponsors are responsible for all costs associated with special events.

Motion--

Mayans moved that the request be approved subject to: (1) Hiring off-duty certified law enforcement officers as required; (2) Obtaining barricades to close the streets in accordance with requirements of Police, Fire and Public Works Department. (3) Certificate of Liability Insurance on file with the Community Events Coordinator. Motion carried 7 to 0.

--carried

WALK/RUN

EAST MEETS WEST WALK/RUN, SATURDAY, JUNE 3, 2006, 7:30 A.M.-10:30 A.M.

- 1) 7:30 am until 9:00 am - North bound lanes of McLean east of Seneca Street intersection to Lincoln.
- 2) 7:30 am until 9:00 am – South bound lanes of McLean east of Seneca Street intersection to 2nd. Street.
- 3) 7:30 am until 9:30 am - North bound lanes of McLean east of Seneca Street intersection to Lewis Street.
- 4) 7:30 am until 10:30 am – North bound lanes of McLean east of Seneca Street intersection to 2nd Street.

Agenda Report No. 06-0446

In accordance with the Community Events Procedure, the event promoter is working with Exploration Place and is coordinating arrangements with Staff, subject to final approval by the City Council.

The following street closure request has been submitted:

East Meets West Walk/Run – Saturday, June 3, 2006 7:30 am until 10:30 am

- 1) 7:30 am until 9:00 am - North bound lanes of McLean east of Seneca Street intersection to Lincoln.
- 2) 7:30 am until 9:00 am – South bound lanes of McLean east of Seneca Street intersection to 2nd. Street.
- 3) 7:30 am until 9:30 am - North bound lanes of McLean east of Seneca Street intersection to Lewis Street.
- 4) 7:30 am until 10:30 am – North bound lanes of McLean east of Seneca Street intersection to 2nd Street.

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Client will arrange to remove blockades as necessary to allow emergency vehicle access during entire designated time period. Blockades will be removed immediately upon completion of the event.

Inasmuch as possible, event sponsors are responsible for all costs associated with special events.

Motion--

Mayans moved that the request be approved subject to: (1) Hiring off-duty certified law enforcement officers as required; (2) Obtaining barricades to close the streets in accordance with requirements of Police, Fire and Public Works Department. (3) Certificate of Liability Insurance on file with the Community Events Coordinator. Motion carried 7 to 0.

--carried

CLAIMS

REPORT ON CLAIMS ALLOWED FOR 2006:

<u>Name of Claimant</u>	<u>Amount</u>
Cousatte, O.R.	\$313.67
Hughes, Claudia	\$475.35 **
James, Annie	\$451.09
Mansouri, Saeed	\$818.48
Shelton, Robert	\$2,125.00
Total Management Services	\$70.00

** Settled for lesser amount than claimed.

Motion--carried

Mayans moved that the file be received. Motion carried 7 to 0.

EXPENSE REPORT

EXPENSE FOR SENIOR MANAGEMENT FOR MONTH OF MARCH 2006.

Motion--carried

Mayans moved that the file be received. Motion carried 7 to 0.

LAB. ANALYSIS

CONTRACT AMENDMENT FOR LABORATORY ANALYSIS OF ENVIRONMENTAL SAMPLES.

Agenda Report No. 06-0447

A Request for Proposal, RFP 400015, was issued and evaluated by staff in 2004. On June 15, 2004, the City Council authorized a contract from June 15, 2004 through June 15, 2006 with two (2) additional one-year periods under the same terms and conditions by mutual agreement of both parties.

The City Council approved the current contract to Pace Analytical Services, Inc at the June 15, 2006 meeting. During the initial 2-year contract, the Kansas Department of Health and Environment (KDHE) began requiring the analytical contractor increase the purge volume and containerize the liquid investigation-derived waste (IDW). Since the requirement went into effect, the City of Wichita has appealed to KDHE to reduce or eliminate the additional requirements. The City's appeal is currently under review. A contract amendment is proposed to allow the City to compensate the analytical contractor for the additional work required to meet KDHE's requirements. In addition, KDHE has reduced the number of wells, which will require analytical sampling. The contract amendment will be dated May 2, 2006 and expire simultaneously with the expiration of the original contract.

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The additional costs associated with the new KDHE requirements are \$65/well for increased purge volumes and \$30/well for containerization. This would require an additional \$13,110 of additional expense. However, the reduction in the number of network wells requiring sampling in the original contract will provide for a savings of approximately \$2775. The net addition to the contract will be \$10,335. If the City of Wichita's appeal is approved, analytical costs will revert to the original contract amount less the savings realized from the network reduction. There are sufficient funds budgeted in the approved 2006 budget for the contract amendment.

The Law Department has approved the contract amendment as to form.

Motion--
--carried

Mayans moved that the contract amendment to Pace Analytical Services, Inc. be approved and the necessary signatures authorized. Motion carried 7 to 0.

BROOKS LANDFILL CONSULTANT CONTRACT FOR AIR PERMIT REPORT SUPPORT FOR BROOKS LANDFILL. (DISTRICT VI)

Agenda Report No. 06-0448

On February 18, 2005, the Kansas Department of Health and Environment issued a Class I Title V Air Operating Permit for the Brooks Landfill. This permit requires the periodic filing of air emissions related reports. Because of the level of complexity of the permit requirements specialized professional engineering expertise is needed to accurately prepare the reports.

Camp, Dresser & McKee (CDM) was the City's consultant in the preparation of the permit application and has been preparing the reports since the permit was issued. Because of the ongoing nature of the report preparation support work, staff issued a Request for Proposal for the work on February 2, 2006. Five proposals were received on March 10, 2006. The Staff Screening and Selection Committee (SSSC) reviewed and selected three firms to be interviewed. On March 31, 2006, the three firms interviewed were: CDM, Golder and Associates, and Integrated Solutions. Based on the proposals and interviews, it was the unanimous vote of the SSSC that CDM be recommended to the City Council for this engagement.

The initial term of the agreement would be two years and the not-to-exceed amount for this period is a total of \$45,000. Funds are available within the Landfill Post-Closure Fund to pay this cost. Under the terms of the agreement up to two one-year renewals are possible for a maximum possible term of up to four years. All future years are dependent on the availability of sufficient budgeted funds for this purpose.

The contract has been approved by the Law Department as to form and has been signed by CDM.

Motion--
--carried

Mayans moved that the selection of CDM for the air permit report preparation work and the contract be approved and the necessary signatures authorized. Motion carried 7 to 0.

TAX CREDIT PROG. KANSAS COMMUNITY SERVICE TAX CREDIT PROGRAM APPLICATION. (DISTRICT VI)

Agenda Report No. 06-0449

Each year since 1994, the Kansas Community Service Program (CSP) has offered a Tax Credit Program for non-profit organizations for use with major capital fund-raising drives for eligible projects. Capital projects eligible for tax credit awards include new facilities or expansion of existing facilities to operate such programs as community service, crime prevention, or health care. Under the program, contributors (usually private for profit companies) receive a tax credit equal to 50% of the amount donated to non-profits for one year following approval of the agency's tax credit application.

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The Kansas Community Service Tax Credit Program is administered by the Kansas Department of Commerce. The Department has announced an allocation of \$4.1 million in tax credits for 2006, which will be awarded to eligible non-profit organizations. A Local Government Endorsement is recommended by the Kansas Department of Commerce. If the City does not approve the Local Government Endorsement, the applicant will lose points in the competitive application process.

Interfaith Development Corporation, has submitted a request for Local Government Endorsement of their State tax credit application for their capital campaign to fund the construction of a 40-unit permanent housing complex that will provide housing to homeless persons with disabilities (chronic mentally ill, substance abuse and physically disabled). The application has been reviewed by the Housing and Community Services and Planning Departments, and was found to be consistent with the Consolidated Plan, local codes and zoning requirements.

The proposed application does not obligate the City to the project in any way.

Approval of the Local Government Endorsement does not obligate the City to fund any project or provide real property for the project.

Motion--
--carried

Mayans moved that the application be supported and the Mayor authorized to sign the Local Government Endorsement Form. Motion carried 7 to 0.

ACTUARIAL

WICHITA EMPLOYEES' RETIREMENT AND POLICE AND FIRE RETIREMENT SYSTEMS ACTUARIAL VALUATION REPORTS, (JANUARY 1, 2005 – DECEMBER 31, 2005)

Agenda Report No. 06-0450

The Board of Trustees for both the Wichita Employees' Retirement (WER) System and the Police & Fire (P&F) Retirement System employ Milliman USA to serve as technical advisor/consultant and to supply the Boards with information relative to actuarial phases of the operations of the Retirement Systems. The actuary recommends the mortality, interest, and other required actuarial tables; prepares an annual valuation of liabilities and reserves, and makes an annual determination of the amount of contributions necessary to meet requirements for annuities and benefits, certifying the results to the Boards; and reviews the operating experience of the Retirement Systems as a check of the adequacy of the recommended actuarial standards.

The funding objective of the WER and P&F Retirement Systems is to establish and receive contributions, expressed as percents of active member pensionable payroll, which will remain approximately level from year to year, and will not have to be increased for future generations of citizens in the absence of benefit improvements. The Retirement Systems are supported by: (1) Member contributions; (2) City contributions; and (3) investment income from the Retirement Systems' assets.

1. The actuary's valuations state that for the fiscal year beginning January 1, 2007, the range for the City's required contributions to the WER System is 3.9% to 8.2%. The City's required contribution to the P&F System is 17.5%, as there is no current surplus funding to offset contributions. Contribution rates are stated as a percent of active member pensionable payroll. These rates are based on the benefit provisions and active member contribution rates in effect on December 31, 2005. Of the total dollar amount contributed to WER, City contributions for Plan 3 (a defined contribution plan) are allocated to Plan 3 individual members' accounts.

The employer funding objective contribution requirement has been computed to remain level from year to year as a percentage of active member pensionable payroll, so long as benefits and demographic make-up of members does not change materially, and experience assumptions are realized.

2. The funded ratios (liabilities covered by assets) and employer (City) contributions for WER and P&F Retirement Systems over the past three (3) years are shown below:

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Budget

WER	Period Ending	Year	Funded Ratios	Employer Contributions
	December 31, 2003	2005	115.4%	4.7%
	December 31, 2004	2006	112.1%	4.7%
	December 31, 2005	2007	110.6%	4.7%

Budget

P&F	Period Ending	Year	Funded Ratios	Employer Contributions
	December 31, 2003	2005	106.8%	14.0%
	December 31, 2004	2006	99.8%	18.4%
	December 31, 2005	2007	99.7%	17.5%

3. In summary, the actuary's reports reflect that the aggregate experience of the Retirement Systems during the twelve months (12) ended December 31, 2005 was as expected in WER, except for a small net loss due to experience. P&F experienced a small net gain also due to experience. The change in the funded ratios and the employer contribution rates from 2006 to 2007 reflect the experience during the year.

In conjunction with the actuary's recommendation and in keeping with the City's current policy of maintaining level contribution rates, the Department of Finance recommends the City's contribution rates, expressed as a percent of active member pensionable payroll, remain constant at 4.7% for WER, and at 18.4% for P&F for the fiscal year 2007. Of the 18.4% P&F contribution rate, 17.5% will be paid into the trust and the remaining 0.9% will be directed to the pension reserve to replenish amounts drawn in 2006.

Under the ordinances creating the two pension systems, the City is statutorily required to contribute the actuarially required contributions to the Retirement Systems.

Motion--

--carried

Mayans moved that the file the Wichita Employees' Retirement and Police & Fire Retirement Systems Actuarial Valuation Reports (January 1, 2005 – December 31, 2005) as submitted be received and the 2007 employer retirement fund contribution rates approved. Motion carried 7 to 0.

202 SOUTH GOW

STORM WATER SEWER AND UTILITY EASEMENT AT 202 SOUTH GOW. (DISTRICT VI)

Agenda Report No. 06-0451

In 2004, the City acquired 202 South Gow for a 40-foot storm water sewer easement as part of the First and Second Street Drainage Outflow Project. The project was completed earlier this year. Though some improvements were razed for the easement, the site is improved with a 1,068 square foot single family home and on April 18, 2006, City Council declared 202 South Gow as a surplus property.

While the City is the owner of the property, it is necessary that an easement be granted so that the storm water sewer and utility easement becomes public record prior to any proposed transfers in ownership. To accomplish this, the easement form has the City as owner formally granting an easement to the City at large.

There is no financial impact associated with granting the easement.

Motion--

--carried

Mayans moved that the easement be granted and the necessary signatures authorized. Motion carried 7 to 0.

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EDS

EXTENSION OF CONTRACT WITH ELECTRONIC DATA SYSTEM (EDS), FOR FALSE ALARM BILLING.

Agenda Report No. 06-0452

Pursuant to City False Alarm Ordinance 44-2211 that was implemented on March 26, 1999; the City of Wichita entered into a five-year agreement with Electronic Data Systems Corporation on July 26, 2001 for False Alarm Billings. The current contract will expire July 26, 2006. Therefore, the City of Wichita is requesting an extension of the current contract for up to but not to exceed one year.

The purpose of the extension is to facilitate the spring 2007 opening at the new 911 facility, being built by Sedgwick County's Emergency Communication. The new facility will require a new CAD, Computer Aided Dispatch, system. The most advantageous situation for the Police Department is to stay with our current vendor until the new CAD system is obtained. To not extend the current contract would incur a considerable amount of additional expense. Switching over from the current system to the new CAD system would require four interfaces for a new alarm vendor. Staying with the current vendor will result in a savings in expense and time for the City of Wichita by allowing the current process to continue until the new CAD is on line, the estimated start up date is April 2007. A new vendor will be selected in late 2006.

The contract extension is for up to but not to exceed one year at the current contract amount, \$270,000.

The Law Department will review and approve the contract as to form.

Motion--
--carried

Mayans moved that the contract extension be approved and the necessary signatures authorized.
Motion carried 7 to 0.

HOMELESS ASSIST. GRANT APPLICATION-HOMELESS ASSISTANCE PROGRAM.

Agenda Report No. 06-0453

On March 8, 2006, the Department of Housing and Urban Development (HUD) issued a Notice of Funding Availability (NOFA) for the 2006 Continuum of Care Homeless Assistance Programs. The NOFA makes funds available for a variety of homeless programs including permanent, supportive and transitional housing, Shelter Plus Care, and the Homeless Management Information System that is used to track the progress of homeless individuals moving through the Continuum of Care.

The Community Council on Homeless Advocacy (CCHA) has been working with the United Way of the Plains to prepare and submit an application for the Wichita-Sedgwick County area for the following projects:

Permanent Housing. United Methodist Urban Ministry of Wichita is requesting funds to continue supportive services and permanent housing for chronically homeless persons ready to take steps toward permanent housing.

Supportive Housing. Inter-Faith Ministries of Wichita, Inc. is seeking funding to continue the Ti'Wiconi Safe Haven Transitional Housing for the severely mentally ill and chronically homeless persons. Funding will provide supportive services and operational costs to help these individuals become self-sufficient and move into permanent housing.

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Transitional Housing. ComCare and The Salvation Army are seeking funding to renew their Transitional Housing Projects for persons with mental illness and substance abuse disorders. Funds will be used to provide supportive and operational services for the project. Wichita Children's Home is also requesting funds to continue the Bridges Transitional Living Program. Funds will provide case management and counseling for the clients and maintenance, utilities and insurance for the upkeep of the transitional units. United Methodist Urban Ministries is requesting the continuance of their transitional housing program that assists individuals, families, and women and their children who are survivors of domestic violence. Clients will receive advocacy and other supportive services that will help them move towards permanent housing without violence.

Shelter Plus Care and Shelter Plus Care Good Samaritan Bonus. The City of Wichita Housing Authority has prepared an application for a one-year renewal of the Shelter Plus Care (SPC) grant to fund 128 housing units. In addition, an application for a new SPC bonus program, called the Good Samaritan Housing Initiative, is being submitted to provide five housing units for five consecutive years. SPC programs must be matched by an equal amount in supportive services. In Wichita, the match is provided at no charge to the City or the grant, by community social service agencies.

Both SPC programs are designed to provide housing and supportive services for homeless persons with disabilities (primarily those with serious mental illness, chronic problems with alcohol and/or drugs, or HIV/AIDS related diseases) and their families, who are living in places not intended for human habitation (e.g., streets) or in emergency shelters. Tenant-based rental assistance programs provide a range of supportive services funded by other local sources in response to the needs of the hard-to-reach homeless population with disabilities.

The United Way and the CCHA have worked together to implement the community proposal ranking process, which will be included in the final application that the United Way will submit to HUD on behalf of local proposers, by the May 25, 2006 deadline. Funding for the projects will come directly from HUD, with grant agreements to be executed between HUD and the project sponsors. With the exception of the Shelter Plus Care applications, which are sponsored by the Wichita Housing Authority, HUD will contract directly with agencies, which are funded through this SuperNOFA.

Funding being requested for the 2006 Continuum of Care projects is as follows:

City of Wichita Housing Authority:	
Shelter Plus Care (Housing Vouchers)	\$869,796
Shelter Plus Care Good Samaritan Grant (New)	147,600
ComCare of Sedgwick County:	
Transitional Housing Project	828,592
Inter-Faith Ministries:	
Safe Haven Renewal	138,198
The Salvation Army	
Transitional Housing Renewal	666,666
United Methodist Urban Ministries:	
Transitional Housing – Leased	84,934
Transitional Housing – Purchase	56,238
Wichita Children's Home:	
Bridges Transitional Living Program	<u>101,219</u>
Total Funds Request	\$2,893,243

All matching funds required by the projects included in this grant will be provided by the sponsoring agencies, or in the case of Shelter Plus Care, by the partnership agencies. Support by the Council for the application does not obligate City of Wichita funding.

Motion--

--carried

Mayans moved that the submission of Shelter Plus Care Grant applications be approved and the Mayor authorized to sign the requisite applications and subsequent contract award documents and provide a letter of support for the Continuum of Care Application. Motion carried 7 to 0.

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TROLLEY ROUTES OPERATE DOWNTOWN TROLLEY LUNCH ROUTES. (DISTRICTS I, IV AND VI)

Agenda Report No. 06-0454

In 2004 and 2005, Wichita Transit (WT), in partnership with the Wichita Downtown Development Corporation (WDDC), sponsored a weekday downtown trolley lunch shuttle and a Saturday museum service. The initial trial service in 2004 ran for nine months, while last year's service ran from Memorial Day to Labor Day. In 2004, the initial weekday service operated two trolleys, while 2005 increased service to three trolleys due to an expansion route to Delano.

The WDDC sponsored 80 percent of the 2004 service, while WT paid 20 percent of expenses, utilizing its annual federal maintenance operations grant. In 2005, WT received a Congestion Mitigation Air Quality (CMAQ) grant to fund 80 percent of the service, while WDDC accounted for 20 percent.

Once again, WT has been approved a CMAQ grant to offset 80 percent of operational costs, and WDDC is interested, again, in offsetting the remaining 20 percent of expenses.

While ridership increases didn't reach projections, primarily due to a rainier summer in 2005, there are numerous factors that favor continuing the popular Q-line:

- Two more years of CMAQ funding,
- WDDC continued interest in helping sponsor service,
- Continued growth of Old Town and the Delano District,
- Increased interest in downtown trolley service due to arena and Waterwalk developments,
- Growing "quality of life" in the downtown area, and
- Continued increase in fuel prices.

Based on two years of Q-Line experience, the following is proposed:

- Maintain the downtown and Delano routes,
- Shrink operational times to 11:00 AM – 2:00 PM,
- Run service immediately following Riverfest until Labor Day,
- Maintain a 25¢ fare, and
- Have the upcoming Transportation Development Plan incorporate downtown trolley feasibility for the long term.

The total cost of the proposed trolley service and marketing will not exceed \$100,000, with \$80,000 being paid by the CMAQ grant and \$20,000 to be paid by the WDDC. No city transit funds will be used for this project.

The Law Department would approve the working agreement between WT and the WDDC as to form.

Motion--carried

Mayans moved that the trolley shuttle service as proposed be approved. Motion carried 7 to 0.

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PROPERTY ACQ.

ACQUISITION OF LA QUINTA LEASEHOLD FOR EAST KELLOGG PROJECT. (DISTRICT II)

Agenda Report No. 06-0455

The East Kellogg/Rock Road project requires the acquisition of approximately 14,800 square feet from the La Quinta motel site. While not directly affecting the motel structure on the site, the taking will remove 56 of the motel's 80 parking spaces and prevent the motel from continuing operation as a motel. The motel owners insist that this taking will result in a total loss of their ability to conduct a motel operation with the improvements and a total loss in value of the improvements. The motel owners have title to all the improvements on the site and Simon Properties (the owner of the Towne East Mall) are landlords.

The City has contracted with Simon Properties to acquire its interest in the La Quinta site (along with other interests along Kellogg from Armour to Rock Road). It is necessary to acquire the leasehold interest of La Quinta. The motel owners have offered to sell their leasehold interest to the City for \$4,450,000. This offer is within the range of values for the leasehold based on appraisals done by both the City's appraisers and appraiser.

The costs of the acquisition will be paid from the East Kellogg (Rock Road to Turnpike) project funds.

The Law Department recommends acceptance of the settlement offer.

Motion--
--carried

Mayans moved that the acquisition of the La Quinta leasehold for \$ 4,450,000 be authorized and the Mayor be authorized to sign the appropriate documents to close the acquisition. Motion carried 7 to 0.

ORDINANCES

SECOND READING ORDINANCES: (FIRST READ APRIL 28, 2006)

- a) Acquisition by eminent domain for the West 29th Street North Road Improvements from 119th Street West to Maize Road. (District V)

ORDINANCE NO. 47-018

An Ordinance providing for the acquisition by eminent domain of certain private property, easements and right-of-way therein, for the purpose of acquiring real property for the construction and improvement of 29th Street North from Maize to 119th Street West in the City of Wichita, Sedgwick County, Kansas; designating the lands required for such purposes and directing the city attorney to file a petition in the District Court of Sedgwick County, Kansas, for acquisition of the lands and easements therein taken and providing for payment of the cost thereof, read for the second time. Mayans moved that the Ordinance be placed upon its passage and adopted. Motion carried 7 to 0. Yeas: Brewer, Fearey, Gray, Martz, Schlapp, Skelton, and Mayans.

- b) Acquisition by eminent domain for the West 37th Street North Road Improvements from Ridge Road to Tyler Road. (District V)

ORDINANCE NO. 47-019

An Ordinance providing for the acquisition by eminent domain of certain private property, easements and right-of-way therein, for the purpose of acquiring real property for the construction and improvement of 37th Street North from Ridge to Tyler in the City of Wichita, Sedgwick County, Kansas; designating the lands required for such purposes and directing the city attorney to file a petition in the District Court of Sedgwick County, Kansas, for acquisition of the lands and easements therein taken and providing for payment of the cost thereof, read for the second time. Mayans moved that the Ordinance be placed upon its passage and adopted. Motion carried 7 to 0. Yeas: Brewer, Fearey, Gray, Martz, Schlapp, Skelton, and Mayans.

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- c) Acquisition by eminent domain for the proposed bike path from north of Pawnee to the Kansas Turnpike. (District III)

ORDINANCE NO. 47-020

An Ordinance providing for the acquisition by eminent domain of certain private property, easements and right-of-way therein, for the purpose of acquiring real property for the construction and improvement of a bike path along Interstate 135, Gypsum Creek and George Washington Boulevard from north of Pawnee to Kansas Turnpike, in the City of Wichita, Sedgwick County, Kansas; designating the lands required for such purposes and directing the city attorney to file a petition in the District Court of Sedgwick County, Kansas, for acquisition of the lands and easements therein taken and providing for payment of the cost thereof, read for the second time. Mayans moved that the Ordinance be placed upon its passage and adopted. Motion carried 7 to 0. Yeas: Brewer, Fearey, Gray, Martz, Schlapp, Skelton, and Mayans.

- d) DR2006-04-Street name change from Armour Drive to Towne East Mall Drive, located west of Rock Road and on the north side of Kellogg. (District II)

ORDINANCE NO. 47-021

An Ordinance changing a street name from Armour Drive to Towne East Mall Drive, be it ordained by the governing body of the City of Wichita, Kansas, read for the second time. Mayans moved that the Ordinance be placed upon its passage and adopted. Motion carried 7 to 0. Yeas: Brewer, Fearey, Gray, Martz, Schlapp, Skelton, and Mayans. (DR2006-04)

UNFINISHED BUSINESS

CONDEMNATION

REPAIR OR REMOVAL OF DANGEROUS AND UNSAFE STRUCTURES, 1513 NORTH GROVE. (DISTRICT I) (DEFERRED APRIL 11, 2006)

Kurt Schroeder

Office of Central Inspection reviewed the item.

Agenda Report No. 06-0390 A

This property was before the Board of Code Standards and Appeals (BCSA) on February 6, 2006. No one appeared to represent the property, no repairs had been made to the property, and the BCSA recommended 10 days to start demolition and an additional 10 days to complete.

This case was before Council on April 11, 2006. Council adopted a resolution for ten (10) days to start and ten (10) days to complete demolition. After the resolution was adopted, an owner of the property, Lonell Washington, came to the Council meeting to represent it. Council agreed to defer action on this property and rehear it at a later date.

On April 13, 2006 staff made an inspection of the property. No repairs had been made. The structure was secure. There were still tree limbs, trash and debris on the premises.

As of April 17, 2006, the taxes had been paid. There were still special assessments for weed mowing in 2005 in the amount of \$242.37 and special assessments for lot cleanup in 2006 in the amount of \$995.88.

Mr. Washington has been informed of the date and time of the hearing.

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Motion-- Brewer moved that the City Council take appropriate action based on the testimony received at the hearing. Any extension of time granted to repair the structure should be conditioned on the following: (1) the \$242.37 assessment for weed mowing and the \$995.88 special for lot cleanup are paid within seven (7) days; (2) the structure is maintained secure as of May 2, 2006 and is kept secured during renovation; and (3) the premise kept clean and free of debris as of May 2, 2006, and will be so maintained during renovation. Motion carried 7 to 0.

--carried

RESOLUTION NO. 06-209

A Resolution finding that the structure/s legally described as Lots 129 and 131, on Tyler, now Grove Street, in Logan Addition to the City of Wichita, Sedgwick County, Kansas known as 1513 North Grove, is unsafe or dangerous and directing the structures/s to be made safe and secure or removed, presented. Brewer moved that the Resolution be adopted. Motion carried 7 to 0. Yeas: Brewer, Fearey, Gray, Martz, Schlapp, Skelton, and Mayans.

HISTORIC PRESERV. APPEAL OF HISTORIC PRESERVATION BOARD ACTION - DEMOLITION OF 123-125 EAST DOUGLAS. (DISTRICT I) (DEFERRED APRIL 18, 2006)

John Schlegel Planning Director reviewed the item.

Agenda Report No. 06-0414 A

On April 18, 2006 City Council voted to defer action on this item until the May 2, 2006 regular council meeting. City staff and the applicants are to meet and resolve issues regarding a workable solution for maintaining the block face; control access management and safety issues with a curb cut at that location; sub-grade fill for crawl space on 123 building and basement area on 125 building; and storm water drainage for the site.

At the March 13, 2006 Historic Preservation Board meeting, the applicant requested approval for demolition of a commercial building located at 123-125 East Douglas. Lowell Richardson, a representative of the owners of the property, filed a Certificate of Appropriateness application to demolish and replace it with a 15-space surface parking lot. The property is located within the Central Business zoning district and requires no on-site parking.

This property is located within 500 feet of the Old City Hall – 204 S. Main, the Wheeler Kelly Hagney Building – 120 S. Market, and the Kress Building – 224 E. Douglas which are listed in the Wichita Register of Historic Places, the Register of Historic Kansas Places and the National Register of Historic Places. Kansas State Statute K.S.A. 75-2715 – 75-2725 requires that projects occurring within 500 feet of a state or national register listed property or district be reviewed. The review guidelines set forth specific considerations for evaluation. According to the Sanborn Fire Insurance Maps, a brick building has been in this location since 1887. Although the building is not historically significant, it is part of an intact block face that is typical of the historic character of the commercial area. Removal of the structure for a surface parking lot located in a row of zero-lot line structures does not meet the intent of Environs Design Review Standards Guideline 1 or Guideline 2.

Guideline #1 specifies, “The character of a historic property’s environs should be retained and preserved. The removal or alteration of distinctive buildings, structures, landscape features, spatial relationships, etc. that characterize the environs should be avoided.”

Guideline #2 specifies, “The environs of a property should be used as it has been historically or allow the inclusion of new uses that require minimal change to the environs’ distinctive materials, features, and spatial relationships.” Demolition of character-defining features or structures with no plans for compatible replacement features or structures is not recommended. Demolition of character-defining structure(s) with the intention of creating open space, such as a parking lot or park is not recommended.

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The RTKL Downtown Master Plan, adopted by City Council in 1989, further recommends against creating any openings in the block faces along Douglas Avenue.

In November 2005, the Historic Preservation Board reviewed a request for demolition of 115-121 East Douglas and construction of a multi-level parking garage to be built in its place. HPB granted approval of the demolition and is requiring the applicant to present the final design of the parking garage exterior for approval. The 123-125 East Douglas surface lot would be immediately east of the new parking garage structure.

By a 5-0 vote, the HPB denied the demolition of 123-125 East Douglas because replacing a building with a surface parking lot instead of another structure with similar materials, massing and setback does not meet the environs review standards outlined in K.S.A. 75-2715 – 75-2727 and would erode the historic context of the Old City Hall, Wheeler Kelly Hagny Building and the Kress Building. The applicant is appealing the decision of the HPB.

The HPB has a programmatic agreement with the State Historic Preservation Office to review applications for all properties individually listed or listed in historic districts in the state/national register of historic places. The Council has review authority over the decision of the Historic Preservation Board, as provided for in K.S. A. 75- 2724 and the City Code Section 2.12.1023(c), and (f). In order for the City Council to overturn the decision of the HPB, all relevant factors must be considered and must find there is no “feasible and prudent alternative to the proposal and that the program includes all possible planning to minimize harm to such historic property resulting from such use”.

Mayor Mayans

Mayor Mayans inquired whether anyone in the audience wished to be heard and no one appeared.

Motion--

Brewer moved to defer action, instructing the applicant to submit supplemental materials that demonstrate that there is “no feasible and prudent alternative to the proposal and that the program include all possible planning to minimize harm to such historic property resulting from such use”.

--carried

Motion carried 7 to 0.

NEW BUSINESS

MILLENNIUM LLC

PUBLIC HEARING AND TAX EXEMPTIONS REQUEST, MILLENNIUM CONCEPTS, LLC. (DISTRICT IV)

Allen Bell

Economic Development Administrator reviewed the item.

Agenda Report No. 06-0456

Millennium Concepts, LLC, located at 9050 W. Monroe Circle in southwest Wichita, was locally formed in 2002. Since inception, Millennium Concepts, LLC has sustained consistent growth in the aircraft industry. Millennium Concepts, LLC has expanded its existing facility, which includes construction of a 8,500 s.f. facility in the amount of \$305,686, and \$70,018 of manufacturing equipment to be leased to Millennium Interiors Group, Inc. and Millennium Concepts, Inc. by Millennium Concepts, LLC. Millennium Concepts, LLC is now requesting approval of an Economic Development Tax Exemption on new construction and manufacturing equipment in conjunction with the expansion project.

Millennium Concepts, LLC was incorporated in 2002. Its purpose was to construct a building to house Millennium Concepts, Inc. Millennium Concepts, Inc., incorporated in 1999, provides engineering and certification engineering for corporate aircraft. In 2003, Millennium Concepts expanded its capability to include structural testing of aircraft interior monuments such as cabinets and bulkheads and added a flammability lab for testing of interior materials to FAA regulations. Millennium Seating Group, Inc. was incorporated in 2003 to design, certify and manufacture aircraft seats. It currently has three seat prototypes in various stages of completion and plans to expand its capability to manufacturing of

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products in the near future. Millennium Interiors Group, Inc., was incorporated in 2005 and manufactures aircraft interior cabinetry.

Millennium Concepts, LLC's expansion project results in the construction of a building addition and the purchase of new manufacturing equipment. Millennium Concepts, LLC [or its affiliates] currently employs 34 persons. The expansion project will create 30 new jobs over the next five years. Millennium Concepts, LLC exports 96% of all production out of Kansas.

Millennium Concepts, LLC's, expansion project is itemized in Exhibit I attached hereto. Under the Economic Development Incentive Policy, Millennium Concepts, LLC, is eligible for the following:

TAX EXEMPTION ELIGIBILITY

ELIGIBLE %	INCENTIVE	EXPLANATION
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60.00%	New Job Creation:	Millennium Concepts will create 30 new jobs.
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7.00%	Capital Improvements:	Millennium Concepts invested \$375,704.
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67.00%	Sub Total Business - Incentive Eligibility (Maximum allowed is 100%)	
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00.00%	Location Premium:	Millennium Concepts is not located in the central redevelopment area.
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67.00% TOTAL EXEMPTION ALLOWED UNDER ECONOMIC DEVELOPMENT INCENTIVE POLICY

Under the Economic Development Incentive Policy, Millennium Concepts, LLC is eligible for a 67% tax exemption for a five-year term on the identified real and personal property improvements, and 67% exemption on the real and personal property, for a further five-year period, subject to City Council review. A notice of public hearing has been published. Millennium Concepts, LLC has agreed to comply with the conditions set forth in the Economic Development Incentive Agreement.

The estimated first year taxes on the proposed \$375,704 expansion would be \$10,372, on real and personal property, based on the 2005 mill levy. Using the allowable tax exemption of 67 percent, the City would be exempting (for the first year) \$6,949 of new taxes from the real and personal property tax rolls. The tax exemption would be shared among the taxing entities as follows: City – \$1,954; County/State - \$1,853; and USD 265 - \$3,142.

Wichita State University Center for Economic Development and Business Research calculated a cost-benefit analysis indicating benefit-to-cost ratios, which are as follow:

City of Wichita	3.42 to one
Sedgwick County	2.83 to one
USD 265	1.26 to one
State of Kansas	4.76 to one

The City Attorney's Office has approved the Ordinance as to form.

Where there is leased and non-leased property the Board of Tax Appeals takes the view that the exemption for leased property must be for the same period as property owned by the applicant. Therefore, Ordinance is framed for a unitary period and the company has agreed to make "payment-in-lieu-of-taxes" on the second five years of abatement for the personal property covered by the exemption, equal to the amount of ad valorem taxes during the second five-year exemption period that would have been paid had such property not been exempted from taxes for such period, determined according to the personal property retail cost new, less depreciation and minus any disposal of such exempted property during that five-year time period. This is consistent with what the City has done on prior applications affected by this issue.

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Mayor Mayans Mayor Mayans inquired whether anyone in the audience wished to be heard.

Bill Holland President of Millennium Concepts, LLC stated that since the inception in 1999, Millennium Concepts has demonstrated a constant state of growth and has generated over 14 million dollars in revenue, the majority in which has been induced back into the local economy. Stated that they have already hired over half of the projected 30 additional employees and they are planning on hiring more in the coming months. Stated that they are already talking about a phase four expansion by the end of the year.

Motion-- Gray moved that the public hearing be closed and the Ordinance granting Millennium Concepts, LLC a 67% tax exemption on the identified real and personal property improvements for a five-year term, and a 67% exemption on the real and personal property, for a further five-year period, subject to City Council review be placed on first reading. Motion carried 7 to 0.

--carried

ORDINANCE

An Ordinance An Ordinance exempting property from ad valorem taxation for economic development purposes pursuant to Article 11, Section 13, of the Kansas Constitution; providing the terms and conditions for ad valorem tax exemption; and describing the property of Millennium Concepts, LLC so exempted, introduced and under the rules laid over.

VIA CHRISTI

LETTER OF SUPPORT FOR VIA CHRISTI FREE CLINIC. (DISTRICT III)

Allen Bell Economic Development Administrator reviewed the item.

Agenda Report No. 06-0457

The Via Christi Foundation, Inc. proposes to purchase a small office building at 1156 S. Clifton, and renovate and equip a portion of the building as a charitable care clinic. The Via Christi Community Health Clinic will provide free or very low-costs primary care services to underserved and uninsured individuals and families in the Wichita area. Via Christi plans to apply to the State of Kansas for Community Service Tax Credits to assist in its efforts to raise money from local donors to fund part of the cost of equipping the clinic. Via Christi has asked the City to endorse the project and support its application for tax credits.

The proposed Community Health Clinic will be located in close proximity to the entrance of the St. Joseph Hospital Emergency Department and will have seven examination rooms, offices, lobby and a reception area. In addition to daytime hours, the Clinic will remain open during the night and weekend peak periods when services of this nature are typically sought within the emergency room setting. Via Christi's objectives for the establishment of the clinic is to decrease the number of uninsured patients seeking primary care within the emergency room; provide greater access to primary care including preventive care to the underserved populations within the community; and make the community at-large aware of the need to provide free or low-cost primary care and its impact on the overall of health care.

Other indigent care clinics in Wichita include Hunter Health Clinic, Guadeloupe Clinic and the Health and Wellness Center, all located in north Wichita. The Via Christi Community Health Clinic will be the only indigent care clinic located in south Wichita and will be especially useful to residents of such low-to-moderate income residential areas as Planeview and Hilltop.

There is no financial impact on the City resulting from the request.

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The Community Service Tax Credit Program assists non-profit organizations in the state in their community fundraising efforts by awarding state income tax credits that can be transferred to donors in the amount equal to one-half (1/2) the amount of their donation. The maximum amount that can be allocated to a single project is \$200,000, which would then leverage up to \$400,000 in donations. Donors can use the tax credits to reduce their Kansas income tax liability, dollar-for-dollar, and can also deduct the full amount of the donation from their adjusted gross income on their federal income tax return.

Via Christi Foundation intends to apply for the maximum \$200,000 in tax credits. The application deadline for the current round of tax credit allocations is May 6.

Larry Shumaker

CEO of Via Christi Health Systems stated that this last year they have been going through a planning process to look at how to better care for the poor and underserved in our communities because the emergency rooms have been over burdened and patients have had long waits. Stated that many of the issues that they are seeing in the emergency centers, they would classify as non-emergent. Stated that they are primary care oriented. Stated that they have many working, poor and underserved people in our community who need primary care and who are seeking it in our emergency rooms and not seeking it in a primary care location. Stated that their strategy is to not only take the burden off of our emergency rooms but to provide better care to citizens of Wichita, who need primary care through having a clinic close to St. Joseph, that would serve the Hilltop, Planeview and Oaklawn areas specifically, that are high areas of uninsured and poor people who need care. Stated that they feel that this is the best way for them to better provide this care, particularly in terms of primary care. Stated that they are looking at a new model of care delivery that will help them and their foundation has stepped forward with significant funding, Via Christi Foundation has also decided that on a go forward basis, their annual golf tournament, which usually raises significant funds, will be dedicated to this function and supporting this endeavor as they move forward. Asked for the Council's support and signing of the letter for the tax credits.

Mayor Mayans

Mayor Mayans inquired whether anyone wished to be heard and no one appeared.

Motion--
--carried

Skelton moved that the It is recommended that the City Council endorse the Via Christi Community Clinic Project and approve the Letter of Support. Motion carried 7 to 0.

HEALTH IMP. PROG. HEALTH IMPROVEMENT PROGRAM-CONSULTANT CONTRACT.

Tom Smith

Finance Risk Management reviewed the item.

Agenda Report No. 06-0458

The City of Wichita's Health Insurance Advisory Board requested the City examine the feasibility of implementing a Wellness Program. On January 19, 2006, Hilb, Rogal & Hobbs, the City's health and benefit consultant, provided the Health Insurance Advisory Committee a proposed Health Improvement Strategy, which was recommended for approval by the Committee. This Health Improvement Strategy was presented to the City Council in workshop on March 7, 2006.

A contract has been developed to implement the Health Improvement Strategy. The primary focus of the Health Improvement Strategy would initially begin in the areas of:

- § Nutrition
- § Exercise
- § Smoking cessation
- § Stress/depression

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The project will be divided into three primary Phases. Phase I would include a data analysis of short-term and long-term Wellness initiatives the City could implement. This includes a feasibility analysis, specific programmatic recommendations and development of an implementation strategy. This would include some "quick hit" programming. Phase II includes implementation of specific programs, both internal and external, and procurement of third-party vendors (if necessary) and development of a communications strategy. Phase III would complete the implementation activities, establish baselines and develop an evaluation process to measure and demonstrate program impact and value and refine short-term and long-term strategies. HRH would not operate specific Wellness initiatives, but provide consultative input, monitor the performance and timeliness of any third-party vendors and monitor program performance.

The contract would be for a not to exceed fee of \$55,000 for the first year. Four one-year options to extend the contract would be available to both parties. Funds are budgeted in the Group Health Insurance Fund to pay for a consultant.

The contract has been reviewed and approved as to form by the City Attorney.

Deb Dirks Benefits Coordinator reviewed the four-wellness activities.

Mayor Mayans Mayor Mayans inquired whether anyone wished to be heard and no one appeared.

Motion-- Mayans moved that the contract be approved and the necessary signatures authorized.
--carried Motion carried 7 to 0.

RODEO LICENSE ISSUE MORATORIUM ON THE ACCEPTANCE AND APPROVAL OF LICENSE APPLICATIONS FOR RODEOS, PURSUANT TO SECTION 3.08.040 OF THE CODE OF THE CITY OF WICHITA.

Gary Rebenstorf Director of Law reviewed the item.

Agenda Report No. 06-0459

Chapter 3.08 of the City Code currently governs the regulation, permitting and licensing of rodeos. These licensing provisions fail to address health and safety concerns to livestock utilized in such events or the inhumane treatment of such livestock. Further, the regulations have no provisions regarding the long-term maintenance of such livestock. The city recognizes that there are significant health and safety concerns to participants, spectators and adjacent neighborhoods when such activities remain unregulated. Such activities may produce noise, odors and other nuisances, which are incompatible to adjacent property owners.

Further, rodeos in the City are not currently defined or regulated through the Wichita-Sedgwick County Unified Zoning Code (UZC) within the City of Wichita.

The moratorium is necessary to allow staff time to develop comprehensive ordinances for the licensure and regulations of rodeos.

The City has the authority to establish a reasonable moratorium on the processing and issuance of licenses. The Resolution has been reviewed and approved as to form by the Law Department.

(Council Member Fearey momentarily absent)

Mayor Mayans Mayor Mayans inquired whether anyone wished to be heard.

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- Ron Weems Mr. Weems stated that he is the owner of the property in which the activity is taken place and he also has a home at this location. Stated that the rodeo is generating an inexpensive economic activity in the area, without any request for government assistance. Stated that there are numerous laws governing these activities on the books and does not understand why we want to generate regulations on top of regulations. Stated that he feels that the Council has time to consider and act on this matter without issuing a moratorium. Stated that a moratorium disrupts his ability to properly utilize his property and disrupts several other people's ability to provide an entertainment and to generate an income off of a legitimate activity. Stated that he feels that a moratorium is an over reaction to the issue and requests that the Council not issue a moratorium and not disrupt the whole industry.
- Council Member Fearey Council Member Fearey asked if staff can get something to the Council earlier, then this moratorium does not have to last until November 2nd, so technically if everyone could work that fast, we could have something by July 9th and nothing would be noticed.
- Gary Rebenstorf Director of Law stated that is correct.
- Motion-- Fearey moved that the Moratorium on the Issuance of Rodeo licenses until November 2, 2006 be approved. Staff, based on existing licensing requirements, will process license applications, which have been filed with the City Clerk prior to the issuance of the moratorium, for events occurring prior to July 9, 2006. No rodeo event shall be approved after July 9, 2006 until new regulations are adopted. Motion carried 6 to 1, (Nay-Gray).
- carried

RESOLUTION NO. 06-204

A Resolution by the governing body of the City of Wichita, Kansas, declaring and establishing a moratorium on the processing of new requests for the licensing and locating of rodeos, presented. Mayans moved that the Resolution be adopted. Motion carried 6 to 1. Yeas: Brewer, Fearey, Martz, Schlapp, Skelton, and Mayans, (Nay-Gray)

QTRYL FIN. REPORT QUARTERLY FINANCIAL REPORT FOR THE PERIOD ENDING MARCH 31, 2006.

- Kelly Carpenter Director of Finance reviewed the item.
- Agenda Report No. 06-0460
- The Finance Department prepares quarterly unaudited financial reports to monitor and review the financial activities of the operating and capital funds. The report is presented to provide the City Council and citizens with information that will assist in making informed decisions. The report is available on the City's web site and citizens may obtain a printed copy contacting the Department of Finance at 268-4651.
- Comparisons of budgeted amounts to actual revenue and expenditures are provided for each operating fund. In addition, financial statements prepared on an accrual basis are presented for enterprise funds, consistent with requirements of revenue bond covenants.
- Financial highlights are summarized beginning on page iii, with financial statements beginning on page 1. Information supplementary to the financial statements begins on page 63, including information on the performance of invested funds, the City's bonded indebtedness relative to the legal debt limitations, capital projects currently underway, tax abatements, the status of the Debt Service fund relative to any debt service payments due from the tax increment financing districts, and a quarterly summary of disadvantaged and emerging business activity.
- Mayor Mayans Mayor Mayans inquired whether anyone wished to be heard and no one appeared.
- Motion-- Mayans moved that the Quarterly Financial Report for the quarter ended March 31, 2006 be received and filed. Motion carried 7 to 0.
- carried

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PLANNING AGENDA

Motion--
--carried

Mayans moved that Planning Consent items 24-27 be approved in accordance with recommended action shown thereon. Motion carried 7 to 0.

VAC2006-00012

VAC2006-00012-REQUEST TO VACATE A PORTION OF A PLATTED SETBACK, GENERALLY LOCATED WEST OF OLIVER AVENUE AND SOUTH OF MOUNT VERNON. (DISTRICT III)

Agenda Report No. 06-0461

Staff Recommendation: Approve.

MAPC Recommendation: Approve (unanimously).

The applicant proposes to remodel the kitchen of their single-family residence, which will extend the kitchen 5-feet into the platted 30-foot front yard setback. The "SF-5" Single-family Residential-zoning district has a minimum 25-foot front yard setback. The 5-foot vacation request would not exceed the 25-foot minimum front yard setback standard of the "SF-5" zoning district, which is the site's zoning. There are no utilities, manholes, sewer or water lines in the platted front yard setback. The Edgetown Park Addition was recorded with the Register of Deeds on February 17, 1937.

The MAPC voted (10-0) to approve the vacation request. No one spoke in opposition to this request at the MAPC's advertised public hearing or its Subdivision Committee meeting. No written protests have been filed.

A certified copy of the Vacation Order will be recorded with the Register of Deeds

Motion--
--carried

Mayans moved that the Vacation Order be approved and the necessary signatures authorized. Motion carried 7 to 0.

A06-11R

A06-11R REQUEST BY TERRY L. EDWARDS AND JOLENE J. EDWARDS TO ANNEX LAND GENERALLY LOCATED SOUTHEAST OF 47TH STREET SOUTH AND MERIDIAN AVENUE. (DISTRICT IV)

Agenda Report No. 06-0462

The City has received a request to annex 3.89 acres of land generally located southeast of the intersection of 47th Street South and Meridian Avenue. The annexation area abuts the City of Wichita to the west. The property owner anticipates that the proposed property will be developed with an additional residential unit. A plat was approved by the Metropolitan Area Planning Department on January 5, 2006, which is known as Edwards Estates. Several isolated road segments are also included with this annexation request.

Analysis: Land Use and Zoning: The proposed annexation consists of approximately 3.89 acres of property currently zoned "SF-20" Single-Family Residential, which upon annexation will convert to "SF-5" Single-Family Residential. Property directly to the north, east and south is zoned "SF-20" Single-Family Residential and is currently agricultural with a few outbuildings. Property to the west of the subject property is developed and zoned as "MH" Manufactured Housing District.

Public Services: There is a 12" water line and a 54" sewer line in the Meridian right-of-way across the west side of this property. An agreement is in place to extend a public sewer lateral to this property, and at that time, City water service will be extended as requested.

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Street System: The subject property borders Meridian to the west, which is a paved, two-lane road. The Sedgwick County Capital Improvement Program 2006-2010 and the 2006 Transportation Improvement Program have scheduled Meridian to be widened to four lanes between 47th Street South and 71st Street South, which is directly west of the subject property. The 2006 Transportation Improvement Program and the City of Wichita Capital Improvement Program (CIP) 2005-2014 have also scheduled 47th Street South between Meridian and Seneca, as well as, Meridian from 47th Street South to I-235, to be widened and reconstructed; both of which are north of the subject property.

Public Safety: Fire services to this site can be provided by the City of Wichita within a five (5) to six (6) minute approximate response time from City Station No. 12, located at 3443 South Meridian. Upon annexation, police protection will be provided to the area by the Patrol South Bureau of the Wichita Police Department, headquartered at 211 East Pawnee.

Parks: The Southview Park, a 20-acre park, is located approximately 1/2 mile to the north of the subject property and contains 2 tennis courts, 6 soccer fields, a children's play area and a restroom. The South Lakes Park, a 250-acre park, is located approximately 1/4 mile to the east of the subject property and contains 16 soccer fields, 8 softball fields, a football field, 3 concession stands and 4 fishing lakes.

School District: The annexation property is part of the Unified School District 261 (Haysville School District). Annexation will not change the school district.

Comprehensive Plan: The proposed annexation is consistent with the Wichita-Sedgwick County Comprehensive Plan. The annexation property falls within the 2030 Wichita Urban Growth Area as shown in the Plan.

The current approximate appraised value of the proposed annexation lands, according to County records, is \$183,720 with a total assessed value of \$21,127. Using the current City levy (\$31.828/\$1000 x assessed valuation), this roughly yields \$664 in City annual tax revenues for the property. The future assessed value of this property will depend on the type and timing of any other developments on the proposed annexation property and the current mill levy. At this time, the property owner is anticipating that an additional single-family residential unit will be developed within the next two years. The total appraised value of this residential development after completion is estimated at \$270,000. Assuming the current City levy remains about the same, this would roughly yield a total of \$975 in City annual tax revenues.

The property is eligible for annexation under K.S.A. 12-519, et seq.

Motion--
--carried

Mayans moved that the annexation request be approved and the Ordinance placed on first reading.
Motion carried 7 to 0.

ORDINANCE

An Ordinance including and incorporating certain blocks, parcels, pieces and tracts of land within the limits and boundaries of the City of Wichita, Kansas, introduced and under the rules laid over.
(A06-11)

SUB2006-09

SUB2006-09-PLAT OF LEGACY PARK WILSON ESTATES THIRD ADDITION, LOCATED SOUTH OF 21ST STREET NORTH AND WEST OF WEBB ROAD. (DISTRICT II)

Agenda Report No. 06-0463

This site, consisting of 12 lots on 4.93 acres, is a replat of a portion of Lot 5, Block 1, Legacy Park Wilson Estates Addition. This site is subject to the Wilson Estates Residential CUP (DP-201). A CUP Certificate has been provided identifying the approved CUP and its special conditions for development.

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A Petition, 100%, and a Certificate of Petitions have been submitted for water, sewer and paving improvements. Restrictive Covenants were submitted to establish a Lot Owners' Association to provide for the ownership and maintenance of the reserves and to provide four off-street parking spaces per dwelling unit on each lot, which abuts a 32-foot street. This plat proposes platting a narrow street right-of-way with adjacent 15-foot street drainage and utility easements. A Restrictive Covenant was submitted that outline restrictions for lot-owner use of these easements. This site is located within the noise impact areas of McConnell Air Force Base/Jabara Airport, and a Restrictive Covenant and Avigational Easement have also been submitted.

This plat has been reviewed and approved by the Planning Commission, subject to conditions and recording within thirty (30) days.

The CUP Certificate, Certificate of Petition, Restrictive Covenants and Avigational Easement will be recorded with the Register of Deeds.

Motion--
--carried

Mayans moved that the documents and plat be approved; the necessary signatures be authorized; and the Resolutions be adopted. Motion carried 7 to 0.

RESOLUTION NO. 06-205

Resolution of findings of advisability and resolution authorizing construction of Water Distribution System No. 448-90191(south of 21st Street, West of Webb) in the City of Wichita, Kansas, pursuant to findings of advisability made by the governing body of the City of Wichita, Kansas, presented. Mayans moved that the Resolution be adopted. Motion carried 7 to 0. Yeas: Brewer, Fearey, Gray, Martz, Schlapp, Skelton, and Mayans.

RESOLUTION NO. 06-206

Resolution of findings of advisability and resolution authorizing construction of Lateral 89, Main 22, War Industries Sewer, 468-84181 (south of 21st Street, West of Webb) in the City of Wichita, Kansas, pursuant to findings of advisability made by the governing body of the City of Wichita, Kansas, presented. Mayans moved that the Resolution be adopted. Motion carried 7 to 0. Yeas: Brewer, Fearey, Gray, Martz, Schlapp, Skelton, and Mayans.

RESOLUTION NO. 06-207

Resolution of findings of advisability and resolution authorizing constructing pavement on Wilson Estates Court from the north line of Wilson Estates parkway to and including the cul-de-sac serving Lots 1 through 12, Block 1, 472-84404 (south of 21st Street, West of Webb) in the City of Wichita, Kansas, pursuant to findings of advisability made by the governing body of the City of Wichita, Kansas, presented. Mayans moved that the Resolution be adopted. Motion carried 7 to 0. Yeas: Brewer, Fearey, Gray, Martz, Schlapp, Skelton, and Mayans.

DED2006-09

DED2006-09-DEDICATION OF A WATER LINE EASEMENT AND DED2006-10-DEDICATION OF ACCESS CONTROL, LOCATED ON THE NORTH SIDE OF 29TH STREET NORTH AND EAST OF ROCK ROAD. (DISTRICT II)

Agenda Report No. 06-0464

Staff Recommendation: Accept the Dedications

These Dedications are associated with a lot split case (SUB 2005-123). The Dedications are for construction and maintenance of a water line and access control, except for one opening along 29th Street North.

The Dedications will be recorded with the Register of Deeds.

Motion--carried

Mayans moved that the Dedications be accepted. Motion carried 7 to 0.

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AIRPORT AGENDA

Motion--
--carried

Mayans moved that the Airport Consent items 28-30 be approved in accordance with the recommended action shown thereon. Motion carried 7 to 0.

RENTAL CAR

SUPPLEMENTAL AGREEMENTS-RENTAL CAR CONCESSION AGREEMENTS.

Agenda Report No. 06-0465

Enterprise Leasing Company – Southwest d/b/a Enterprise Rent A Car and Flacks Enterprises, LTD d/b/a Thrifty Car Rental occupy ticket counter space in the baggage claim area of the terminal building on Wichita Mid-Continent Airport. As a result of relocating two shuttle/limousine companies, a small area became available adjacent to the ticket counters occupied by Enterprise and Thrifty. The term of the concession agreements is through November 30, 2009.

The additional space (30 sq.ft. for Enterprise and 39 sq.ft. for Thrifty) allows these companies to better serve their customers, in addition to alleviating some of the congestion, which occurs in front of their ticket counters.

For the period 02/01/05 through 11/30/05, additional revenue to the WAA was \$2,411.60; and for the period 12/01/05 through 11/30/06, the revenue will be \$3,012.60.

The Supplemental Agreements have been approved as to form by the Law Department.

Motion--
--carried

Mayans moved that the Agreements be approved and the necessary signatures authorized. Motion carried 7 to 0.

MARKETING

AIRPORT MARKETING.

Agenda Report No. 06-0466

It is the policy of the Wichita Airport Authority to fund marketing programs aimed at promoting the use of Wichita Mid-Continent Airport. The Wichita Airport Advisory Board has acknowledged the importance of increased passenger travel because it results in enhanced air service, business expansion, increased tourism, and other economic benefits to the community. The Wichita Airport Advisory Board recently approved the concepts for the campaign proposed by Armstrong Shank.

On February 28, 2006, the City Council approved the advertising contract with Armstrong Shank, which included a one-year contract with two, one-year options for renewal. Armstrong Shank and staff have worked together to determine the appropriate budget for their services and to develop advertising strategies designed to promote Mid-Continent Airport as the choice for regional travelers.

This program will position the role of the airport as the State of Kansas' customer-friendly airport of choice, highlighting the convenience and hospitality at Mid-Continent Airport. The program will increase awareness of Mid-Continent Airport services, encourage business and leisure travel, and will develop an image campaign. This program will include many different facets, but with emphasis on a statewide media analysis/plan, development and implementation of the integrated marketing campaign. It will also include the development of a new program called the "Courtesy Crew" at the Airport, which will help reinforce the customer-friendly image of Mid-Continent Airport.

The services from Armstrong Shank will not exceed \$550,000, which includes out-of-pocket expenses for the initial year of the contract for marketing, planning and implementation of the airport campaign. Armstrong Shank's actual professional services fee is included within the \$550,000 budget, and will not exceed 16% of the total actual funds expended. Funds for this purpose are included in the adopted Airport operating budget.

Motion--carried

Mayans moved that the expenditure be approved. Motion carried 7 to 0.

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MECHANICAL SYS. MECHANICAL SYSTEMS IMPROVEMENTS.

Agenda Report No. 06-0467

On October 18, 2005 the Wichita Airport Authority approved a contract with Don Vaughn Inc. for Mechanical System Improvements.

During construction, changes to the project have been identified.

The change order amount of \$6,876 will be funded with General Obligation bonds paid for with Airport Revenue. Funds are available within the approved budget and the changes are approximately five-percent of the original contract amount. The revised contract amount is \$136,786.

The Law Department has approved the change order.

Motion--
--carried

Mayans moved that the change order be approved and the necessary signatures authorized. Motion carried 7 to 0.

CITY COUNCIL

Mayor Mayans

Mayor Mayans requested to reverse the order of the City Council Items and take up item 33 first and 31 last.

(Action shown in Agenda Order)

FUNDING ARTS

FUNDING SUPPORT FOR THE ARTS.

John D'Angelo

City Arts Director reviewed the item.

Agenda Report No. 06-0468

In 1994, the City Council and the Arts Council commissioned an independent study of the impact and potential of local arts and culture, which resulted in the approval of the Wichita Community Cultural Plan. One of the goals of the Cultural Plan was to establish a funding mechanism that would encourage cultural resources to become active partners.

On March 16, 2004, the City Council approved the formation of an Arts Task Force. The Arts Task Force was asked to accomplish the following and return with their recommendations:

- Study current funding support for the arts;
- Determine an equitable process for the City Council to evaluate requests for funding;
- Develop public and private funding options and;
- Designate the appropriate department for which the Division of Arts and Culture should reside.

At the December 14, 2004, City Council meeting, a resolution for arts funding and Arts Task Force recommendations were presented to the City Council. The Council agreed to increase this mill levy allocation to (one) 1mill and utilize a tiered system for both established and emerging arts organizations.

On February 8, 2005 the City Council approved the formation of the Cultural Funding Review Committee consisting of 11 members. Members of City Council appointed 7 members. The Arts Council appointed 4 members. The committee consisted of representatives from government, education, business, philanthropy, arts organizations and the public at large. The committee was assigned the responsibility to make recommendations to members of City Council on distribution of additional funding for the arts from the 1 mill allocation resulting in \$719,000 in 2006.

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The presentation to the Council noted that organizations currently receiving funding would continue to receive funds at their current level; however, they will be subject to the same application/evaluation process as all other organizations seeking funding. Those organizations include: Wichita Art Museum, Botanica, Old Cowtown Museum, Arts Council, Mid-America All-Indian Center, the Kansas African American Museum, and the Wichita-Sedgwick County Historical Museum.

The Cultural Funding Committee reviewed grant applications from 34 organizations using the approved application review process. The recommendations for the allocation of funding were then approved by City Council as part of the 2006 budget approval process on August 9, 2005. Contracts for the \$719,000 allocation of funds were approved on December 10, 2005.

The Task Force has developed what they believe to be a fair and equitable process that will protect the City's current \$75 million investment in the arts while encouraging the development of other existing and emerging organizations. The Task Force believes that they must protect its current investments in the organizations that have become an integral part of the community's culture. This investment includes the City's ownership of various properties and entities within the community including the Wichita Art Museum, Old Cowtown Museum, Botanica, and many others. Through historical agreements, the City has made substantial investments in these facilities to purchase, promote and maintain them.

The Task Force believes that the current levels of funding and in-kind support are needed to continue to protect the \$75 million investment the City of Wichita has made to the arts. It is imperative that the City continues to promote and encourage growth of the arts as a vehicle for cultural tourism rather than make further reductions to the arts or simply maintain the status quo. A resolution to establish a funding formula needs to be approved/adopted for the arts and cultural community.

The process for performance-based criteria developed by the Arts Task Force and facilitated by the Cultural Funding Review Committee has created an equitable and fiscally responsible method for distributing funds to arts organizations. A resolution is recommended to allocate one (1) mill levy to be distributed annually through the Cultural Funding Review process to the arts and cultural organizations and to be reviewed by City Council after four (4) years.

Law Department has prepared and approved the form of the proposed policy resolution.

Mayor Mayans

Mayor Mayans inquired whether anyone wished to be heard.

Joan Cole

Ms. Cole stated that she is the Chairperson of the Arts Council, which oversees two other sub-committees, which are the Art Advisory Committee and the Cultural Funding Review Committee and their hope is that the City Council will adopt the resolution today, which sets the money available for 2007 operations at over \$800,000.00. Stated that the Council's decision today will allow the review committee to know the amount of money available for 2007 before they make recommendations to the Council in June. Stated that they believe that the review committee developed a professional open and equitable process and that among the requirements of the process were the establishment of performance measures and organizational goals, by which these programs will be judged in the future. Stated that they feel this requirement was a significant step in the evaluation process and recently they received quarterly reports from those funded groups on the use of this money and will provide a summary to the Council shortly. Stated what the Arts Council requested last year, they ask again today, that the Council approve allocation of the equivalent of one full mill of property tax money for the extended period of time to be used for cultural arts programs and facilities in Wichita.

John Kemp

Mr. Kemp stated that he lives in south Wichita and was before the Council three months ago begging the City Council to allow a fire station in south city. Stated that he was told that there was no money for a fire station and then reads in the newspaper that there is \$888,000.00 allocated for art. Asked which comes first, safety of our people or art. Stated that he is asking the Council to look at the situation in south city. Stated that railroad tracks on both sides and a river on one side surround this particular area of the city. Stated that as economy regarding gas prices, our rail services have tripled in the last year. Asked the City Council to think about what they are going to vote on today. Stated that all he asked for was a half of a fire station.

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- Council Member Fearey Council Member Fearey stated that she has learned so much through this process and learned that many other cities support their arts through this type of endeavor and learned how important it is for the art groups to know what they are going to receive the next year. Stated that she has learned that so much of this money goes to our children to groups like Cowtown, Botanica, the Art Museum, the symphony, Kansas African American Museum for programming to help our children learn about our cultural events and our museums in the City. Stated that she feels that is very important. Stated that she has worked hard on Visioneering over the last couple of years and thinks that this ties directly to Visioneering. Stated that when we fund our arts, it is economic development. Stated that we have got to remain competitive to keep our City strong and thinks that by funding the arts that is one of the ways to do this and get people to come here and keep people here.
- Council Member Skelton Council Member Skelton stated that he would rather that this decision be made in conjunction with the rest of the budget.
- Council Member Martz Council Member Martz stated that this issue is tough for him because he is very supportive of the cultural arts but has had some struggles because he has asked for numbers and have not received them. Stated that he does not think that this is the proper procedure to go through and is not sure if the one mill is the right figure. Stated that he would like to be able to do this in a fashion that would be more pro-active but feels very strongly that this is the wrong procedure to use and not the proper place and he will be opposing this today.
- Motion-- Mayans moved that the resolution be adopted and Art Task Force process and recommendations to allocate one (1) mill levy annually to be distributed through the Cultural Funding Review process and to be evaluated after four (4) years and on a yearly basis as far as meeting outcomes.. Motion
- carried carried 5 to 2, (Nays-Martz, Skelton).

RESOLUTION NO. 06-208

A Resolution reflecting the intent and policy of the City Council with respect to funding arts and culture, presented. Fearey moved that the Resolution be adopted. Motion carried 5 to 2. Yeas: Brewer, Fearey, Gray, Schlapp and Mayans, (Nays-Martz and Skelton).

(Action shown in Agenda Order)

TRAVEL EXPENSE **APPROVAL OF TRAVEL EXPENSES FOR MAYOR TO ATTEND 74TH ANNUAL U.S. CONFERENCE OF MAYORS, JUNE 2-6, 2006.**

Motion--carried Mayans moved that the expenditures be approved. Motion carried 7 to 0.

(Shown in Agenda Order)

APPOINTMENTS **BOARD APPOINTMENTS.**

Council Member Brewer Council Member Brewer requested to accept the resignation of Dean Noble on the Building Board of Authorities.

Motion--carried Mayans moved that the request be approved. Motion carried 7 to 0.

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Motion--carried

Mayans moved to adjourn the meeting. Motion carried 7 to 0.

ADJOURNMENT

The City Council meeting adjourned at 10:43 a.m.

Respectfully submitted,

Karen Sublett CMC
City Clerk